

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
MANHATTAN DIVISION

CASE NO.: 1:24-cv-3903

KOI SOJER,

Plaintiff,

v.

BET INTERACTIVE, LLC and
PARAMOUNT GLOBAL fka VIACOMCBS
INC.,

Defendants,

COMPLAINT FOR COPYRIGHT INFRINGEMENT
(INJUNCTIVE RELIEF DEMANDED)

Plaintiff KOI SOJER by and through her undersigned counsel, brings this Complaint against Defendants BET INTERACTIVE, LLC and PARAMOUNT GLOBAL fka VIACOMCBS INC., for damages and injunctive relief, and in support thereof states as follows:

SUMMARY OF THE ACTION

1. Plaintiff KOI SOJER ("Sojer") brings this action for violations of exclusive rights under the Copyright Act, 17 U.S.C. § 106, to copy and distribute Wooten-Wooten-Sojer's original copyrighted Work of authorship.

2. Sojer is a celebrity hip-hop photographer with over thirty years of experience and the owner of Snap'N U Photos. She began her career as a young black, self-taught photographer in 1990 during the New York Hip-Hop movement by capturing the "Underground World of Hip Hop" in New York City and the infamous "Tuesday Night 'Funk Hut' Party in Money Makin Manhattan," including images of top rap artists Biggie, Tupac, Queen Latifah, Run DMC, Salt N Pepa, and many more. In 1997, Sojer moved to London and worked as a photographer and photo

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editor for Pride magazine, and in 2008 she relocated to Los Angeles where she was able to gain experience working at red carpet events, award ceremonies, movie premieres and private VIP parties. Sojer continues to photograph some of Hollywood's biggest names such as Lady Gaga, Chadwick Boseman, Idris Elba, Tiffany Haddish, Barbra Streisand and Andra Day.

3. Defendant BET INTERACTIVE, LLC ("BET") is the interactive arm of BET Networks (BETN). At all times relevant herein, BET owned and operated the internet website located at the URL <https://www.bet.com/> (the "Website").

4. Defendant PARAMOUNT GLOBAL fka VIACOMCBS INC., ("Viacom") is an American multinational mass media and entertainment conglomerate.

5. At all times relevant herein, Viacom owned and controlled BET and the Website.

6. Defendants BET and Viacom are collectively referred to herein as "Defendants".

7. Sojer alleges that Defendants copied Sojer's copyrighted Work from the internet in order to advertise, market and promote their business activities. Defendants committed the violations alleged in connection with Defendants' business for purposes of advertising and promoting sales to the public in the course and scope of the Defendants' business.

JURISDICTION AND VENUE

8. This is an action arising under the Copyright Act, 17 U.S.C. § 501.

9. This Court has subject matter jurisdiction over these claims pursuant to 28 U.S.C. §§ 1331, 1338(a).

10. Defendants are subject to personal jurisdiction in New York.

11. Venue is proper in this district under 28 U.S.C. § 1391(b) and (c) and 1400(a) because the events giving rise to the claims occurred in this district, Defendants engaged in infringement in this district, Defendants reside in this district, and Defendants are subject to personal jurisdiction in this district.

DEFENDANTS

12. BET Interactive, LLC is Delaware Limited Liability Company with its principal place of business at 1540 Broadway, New York, NY 10036, and can be served by serving its Registered Agent, Corporation Service Company, at 80 State Street, Albany, NY 12207-2543.

13. Paramount Global fka ViacomCBS Inc. is a Delaware Corporation with its principal place of business at 51 W 52nd St., New York, NY 10019-6119, and can be served by serving its Registered Agent, Corporation Service Company, at 80 State Street, Albany, NY 12207-2543.

THE COPYRIGHTED WORK AT ISSUE

14. In 1997, Sojer created the photograph entitled “Big L,” which is shown below and referred to herein as the “Work”.



15. Sojer registered the Work with the Register of Copyrights on October 21, 2014, and was assigned registration number VAu 1-188-544. The Certificate of Registration is attached hereto as **Exhibit 1**.

16. Sojer's Work is protected by copyright but was not otherwise confidential, proprietary, or trade secrets.

17. At all relevant times Sojer was the owner of the copyrighted Work at issue in this case.

INFRINGEMENT BY DEFENDANTS

18. Defendants have never been licensed to use the Work at issue in this action for any purpose.

19. On a date after the Work at issue in this action was created, but prior to the filing of this action, Defendants copied the Work.

20. On or about August 05, 2022, Sojer discovered the unauthorized use of her Work on the Website. The Work was used on the Website in a slide show called "This Week in History". The Work appeared as slide 2 of 9 in the slide show, alongside the text "Big L Dies – Big L was shot and killed in his neighborhood on February 15, 1999. Legend has it that he was in talks to sign with Roc-A-Fella Records at the time of his death".

21. Defendants copied Sojer's copyrighted Work without Sojer's permission.

22. After Defendants copied the Work, they made further copies and distributed the Work on the internet to promote the sale of goods and services as part of their regular business activities in the Entertainment industry.

23. Defendants copied and distributed Sojer's copyrighted Work in connection with Defendants' business for purposes of advertising and promoting Defendants' business, and in the course and scope of advertising and selling products and services.

24. Sojer's Work is protected by copyright but is not otherwise confidential, proprietary, or trade secrets.

25. Defendants committed copyright infringement of the Work as evidenced by the documents attached hereto as **Exhibit 2**.

26. Sojer never gave Defendants permission or authority to copy, distribute or display the Work at issue in this case.

27. Sojer notified Defendants of the allegations set forth herein on September 08, 2022. To date, the parties have failed to resolve this matter.

COUNT I
COPYRIGHT INFRINGEMENT

28. Sojer incorporates the allegations of paragraphs 1 through 27 of this Complaint as if fully set forth herein.

29. Sojer owns a valid copyright in the Work at issue in this case.

30. Sojer registered the Work at issue in this case with the Register of Copyrights pursuant to 17 U.S.C. § 411(a).

31. Defendants copied, displayed, and distributed the Work at issue in this case and made derivatives of the Work without Sojer's authorization in violation of 17 U.S.C. § 501.

32. Defendants performed the acts alleged in the course and scope of its business activities.

33. Defendants' acts were willful.

34. Sojer has been damaged.
35. The harm caused to Sojer has been irreparable.

WHEREFORE, the Plaintiff KOI SOJER prays for judgment against the Defendants BET INTERACTIVE, LLC and VIACOM INTERNATIONAL, INC. that:

- a. Defendants and their officers, agents, servants, employees, affiliated entities, and all of those in active concert with them, be preliminarily and permanently enjoined from committing the acts alleged herein in violation of 17 U.S.C. § 501;
- b. Defendants be required to pay Sojer her actual damages and Defendants' profits attributable to the infringement, or, at Sojer's election, statutory damages, as provided in 17 U.S.C. § 504
- c. Sojer be awarded her attorneys' fees and costs of suit under the applicable statutes sued upon;
- d. Sojer be awarded pre- and post-judgment interest; and
- e. Sojer be awarded such other and further relief as the Court deems just and proper.

JURY DEMAND

Sojer hereby demands a trial by jury of all issues so triable.

DATED: May 20, 2024

Respectfully submitted,

/s/ Joseph A. Dunne
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